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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 ALAN HIRSCHFIELD and NICOLE) Civil No. 08cv02103 BTM(NLS)
11 HIRSCHFIELD, as successors in interest to)
12 Steven Hirschfield; ALAN HIRSCHFIELD,) **ORDER CONTINUING PRETRIAL**
13 an individual; NICOLE HIRSCHFIELD, a) **CONFERENCE AND RELATED DATES**
14 individual,)
15 Plaintiffs,)
16 v.)
17 SAN DIEGO UNIFIED PORT DISTRICT, a)
18 political subdivision of the State of)
19 California; CLYDE WILLIAMS, an)
20 individual; DOES 1-10 inclusive,)
21 Defendants.)
22 _____)

23 In light of the pending motions for summary judgment that are scheduled for hearing on August
24 13, 2010, the Court modifies the pretrial conference and related dates as follows:

- 25 • Counsel shall comply with the pretrial disclosure requirements by **November 24, 2010**.
- 26 • The deadline to meet and take the action required by Local Rule 16,1(f)(4) is **December**
27 **1, 2010**.
- 28 • The proposed final pretrial conference order shall be lodged by **December 8, 2010**.
- The final pretrial conference currently set for August 24, 2010 is **VACATED** and
RESET for **December 15, 2010** at 3:30 p.m.

All non-conflicting provisions in the court's prior scheduling orders remain in full force and effect.

1 With respect to the form of the pretrial order, the following requirements replace the
2 requirements under CivLR 16.1(f)(6)(c). No Memoranda of Law or Contentions of Fact are to be filed
3 except in a bench trial.

4 The parties shall meet and confer and prepare a proposed pretrial order containing the following:

5 1. A statement to be read to the jury, not in excess of one page, of the nature of the case and
6 the claims and defenses.

7 2. A list of the causes of action to be tried, referenced to the Complaint [and Counterclaim if
8 applicable]. For each cause of action, the order shall succinctly list the elements of the claim, damages
9 and any defenses. A cause of action in the Complaint [and/or Counterclaim] which is not listed shall be
10 dismissed with prejudice.

11 3(a). A list of each witness counsel actually expect to call at trial with a brief statement, not
12 exceeding four sentences, of the substance of the witnesses' testimony.

13 3(b). A list of each expert witness counsel actually expect to call at trial with a brief statement,
14 not exceeding four sentences, of the substance of the expert witnesses' testimony.

15 3(c). A list of additional witnesses, including experts, counsel do not expect to call at this time
16 but reserve the right to call at trial along with a brief statement, not exceeding four sentences, of the
17 substance of the witnesses' testimony.

18 4(a). A list of all exhibits that counsel actually expect to offer at trial with a one-sentence
19 description of the exhibit.

20 4(b). A list of all other exhibits that counsel do not expect to offer at this time but reserve the
21 right to offer if necessary at trial with a one-sentence description of the exhibit.

22 5. A statement of all facts to which the parties stipulate. This statement shall be on a
23 separate page and will be read to and provided to the jury. The parties are directed to meet with the
24 assigned magistrate judge to work out as many stipulations of fact as possible.

25 6. A list of all deposition transcripts by page and line, or videotape depositions by section,
26 that will be offered at trial.

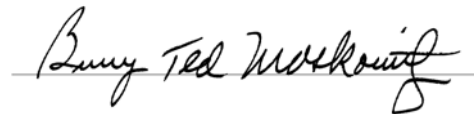
27 7. In addition to filing proposed jury instructions in accordance with Fed. R. Civ. P. 51 and
28 CivLR 51.1, the parties shall e-mail the proposed instructions in Word or Wordperfect form to

1 Chambers. If a party disagrees with a particular instruction, the party shall submit an alternate
2 instruction.

3 The Court encourages the parties to consult with the assigned magistrate judge to work out any
4 problems in preparation of the proposed pretrial order. The court will entertain any questions
5 concerning the conduct of the trial at the pretrial conference.

6 **IT IS SO ORDERED.**

7 DATED: June 24, 2010

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10 Honorable Barry Ted Moskowitz
11 United States District Judge
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